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Attorneys for Defendants
RESTORATION HARDWARE, INC., GARY
FRIEDMAN

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

EMECO INDUSTRIES, INC.

Plaintiff,

v.

RESTORATION HARDWARE, INC., GARY
FRIEDMAN, and DOES 1-10.

Defendants.

CASE NO. CV 12-05072 MMC

**STIPULATION TO CONTINUE INITIAL
CASE MANAGEMENT CONFERENCE;
~~[PROPOSED]~~ ORDER THEREON**

1 Plaintiff Emeco Industries, Inc. ("Plaintiff"), and Defendants Restoration Hardware, Inc.
2 and Gary Friedman ("Defendants") hereby stipulate through their respective attorneys as
3 follows:

4 WHEREAS, on October 16, 2012, the Court issued a Case Management Conference
5 Order in the above-captioned action, scheduling the Initial Case Management Conference for
6 December 14, 2012 at 10:30 a.m.;

7 WHEREAS, the parties agree that they could meet the deadlines for events leading up to
8 the Initial Case Management Conference in a more orderly fashion if that Conference were
9 postponed;

10 WHEREAS, the parties agree that they and the Court would benefit from having
11 Plaintiff's Motion for a Preliminary Injunction and Defendants' Motion to Dismiss fully briefed
12 and argued before the Initial Case Management Conference;

13 WHEREAS, Friday, February 1, 2013, at 10:30 a.m. is a mutually agreeable date for the
14 parties for a rescheduled Initial Case Management Conference;

15 WHEREAS, the parties jointly request a continuance of the Case Management
16 Conference until February 1, 2013, at 10:30 a.m.;

17 WHEREAS, the parties agree to have their Federal Rule of Civil Procedure 26(f)
18 conference and, pursuant to ADR Local Rule 3-5, confer on an ADR process, file ADR
19 Certifications, and file either Stipulations to ADR Process or Notices of Need for ADR Phone
20 Conference, by January 11, 2013;

21 WHEREAS, the parties agree to serve their initial disclosures and file the joint case
22 management conference statement by January 25, 2013; and

23 NOW THEREFORE, IT IS HEREBY STIPULATED that, subject to the Court's
24 approval:

25 1. The parties shall have their Federal Rule of Civil Procedure 26(f) conference and,
26 pursuant to ADR Local Rule 3-5, confer on an ADR process, file ADR Certifications, and file
27 either Stipulations to ADR Process or Notices of Need for ADR Phone Conference, by January
28 11, 2013;

2. The parties shall serve their initial disclosures and file their joint case management conference statement by January 25, 2013; and

3. The Initial Case Management Conference shall be held on Friday, February 1, 2013 at 10:30 a.m.

Respectfully Submitted,

Dated: November 19, 2012

Dated: November 19, 2012

/s/ Jonathan H. Blavin

JONATHAN H. BLAVIN

Jonathan.Blavin@mto.com

/s/ Wesley E. Overson

WESLEY E. OVERSON

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Attorneys for Plaintiff
Emeco Industries, Inc.

Attorneys for Defendants
Restoration Hardware, Inc. and Gary
Friedman

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: November 20, 2012


HONORABLE MAXINE M. CHESNEY
United States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45 X.B.

I, Jonathan H. Blavin, am the ECF User whose ID and password are being used to file this Stipulation to Continue Initial Case Management Conference. In compliance with General Order 45, X.B., I hereby attest that Wesley E. Overson has concurred in this filing.

Dated: November 19, 2012

MUNGER, TOLLES & OLSON LLP

/s/ Jonathan H. Blavin

JONATHAN H. BLAVIN

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